

**CITY OF MEMPHIS, SHELBY COUNTY, TENNESSEE**  
**MEMPHIS CHARTER COMMISSION MEETING**  
**April 24, 2008**

**CALL TO ORDER:** Commissioner Lowery called the meeting to order at 3:05 p.m. The following members of the Commission, constituting a quorum, were present: Willie Brooks, Marsha Campbell, Sylvia Cox, Janis Fullilove, Myron Lowery and Sharon Webb. George Brown Jr. was absent

Others in attendance included: Ricky E. Wilkins, The Law Offices of Ricky E. Wilkins; Zayid Saleem, City of Memphis Assistant City Attorney; Bridgett Hand-Clay, City of Memphis, Open Records Coordinator, Judge Sugarmon, City Court, Professor Stephen H. Wirls, Rhodes College among others.

**APPROVAL OF MINUTES:** Chairman Lowery noted that copies of the minutes from the Commission meeting of April 10, 2008, had been circulated prior to the meeting and asked if there were any changes or corrections. With no changes, the minutes were approved as presented.

**OPENING DISCUSSION:** Chairman Lowery noted the final draft of the Charter's clean-up work has been received and requested it be posted on the Charter Commission Web site. Via telephone, Steve Lobertini with MTAS explained several changes he and his staff made pertaining to the Charter clean-up work. Chairman Lowery asked the Commissioners to review the changes and be prepared to discuss by the next meeting.

## **DISCUSSION AND ACTION**

Chairman Lowery distributed to the Commissioners a letter from former Councilman Tom Marshall dated April 24, 2008. A discussion followed concerning the language in the City of Memphis and the Shelby County Charter as it relates to the powers of the Mayors to negotiate contracts.

Chairman Lowery then called the Commissioners attention to Mr. Marshall's recommendations to clarify in the city Charter that the Mayor is indeed the "sole contracting officer" and to consider voting on requiring City of Memphis contracts exceeding the amount of \$50,000 to be approved by City Council.

Commissioner Webb made a motion that a referendum to be placed on the ballot stating the City of Memphis Mayor be named sole contracting authority and that contracts at or above a certain amount must be approved by City Council. The amount will be set for at the Commission next meeting. The vote was seconded by Commissioner Cox.

The Chairman called for the vote and the voting was as follows:

Myron Lowery	Aye
Willie Brooks	Aye
George Brown	Absent
Marsha Campbell	Aye
Sylvia Cox	Aye
Janis Fullilove	Nay
Sharon Webb	Aye

With (5) Ayes and (1) Nays the motion was approved by all members present.

### **CITY COURT CLERK AND JUDGES**

Chairman Lowery called on Judge Sugarmon and Judge Chandler then asked them for their recommendations. Judge Sugarmon recommendations are as follow:

1. Increase the number of Judges, from 3 to 5, with two of the positions being part time Judges. The additional part time Judges should have the same authority as a full time Judge and work from satellite offices.
2. Increase the number of sessions for court.

In addition, Judge Chandler recommended:

1. Establishing a judicial branch of government rather than a City of Memphis division.
2. Rotating Administrative Judges.
3. Judges selecting the security personnel for their court room.

After much discussion, Commissioner Webb made a motion for part time Judges to be added to the Charter and to give the City Council authority to add additional Judges as needed. The motion was amended to have an annually rotating Administrative Judge, beginning with the Senior Judge. The vote was seconded by Commissioner Fullilove.

The Chairman called for the vote and the voting was as follows:

Myron Lowery	Nay
Willie Brooks	Nay
George Brown	Absent
Marsha Campbell	Aye
Sylvia Cox	Nay
Janis Fullilove	Aye
Sharon Webb	Nay

With (2) Ayes and (4) Nays the motion failed.

In closing, Chairman Lowery extended to Judge Sugarmon and Judge Chandler an invitation to voice their opinion concerning the above vote at the next Commission meeting.

#### **DISCUSSION ON INSTANT RUNOFF VOTING**

Due to limited time, it was decided by the majority of the Commissioners, that County Commissioner Steve Mulroy will present his recommendations on Instant Runoff Voting at the Charter Commission meeting on May 15, 2008.

#### **NEW BUSINESS**

At the request of Commissioner Campbell, Chairman Lowery stated he will extend the invitation to former City Council member Carol Chumney to discuss the interim Mayor position, should the Mayor resign.

At the May 29<sup>th</sup> meeting, the Commissioners plan to discuss the Charter as it relates to the City of Memphis School system.

**ADJOURNMENT:** There being no further business, the meeting was adjourned at 4:30 p.m. The next meetings of the Commission will be held on May 15, 29, June 12, and 19 2008, at 3:00 p.m.

Respectfully Submitted,

Bridgett Handy-Clay